

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO 2946 OF 2007

Shri Baban Geetaram Madane)..Petitioner

Versus

The State of Maharashtra & Anr.)..Respondents

Mr.S.M.Sabrad for the petitioner.

Mrs.S.S.Bhende AGP for the State.

**Coram : S.B.Mhase &
R.S.Mohite, JJ**

Date : 21.06.2007.

PC

1. After the auction, the petitioner was bound to deposit initially 1/4th amount and later on 3/4th amount. The petitioner has deposited 1/4th amount on 20.12.1995. However, inspite of the demand of the 3/4th amount by notice dated 15.01.996, the petitioner has not deposited the said amount. As per the terms of the auction the said amount is forfeited and therefore, there is no question of giving the said site or an alternate site to the petitioner. The petition has been filed in the year 2007 when the auction is of 1995. The petition suffers from latches, delay and even otherwise, it is without any merit. The petition is hereby rejected.

(R.S.Mohite, J)

(S.B.Mhase, J)